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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/620,164	
	Filing Date	07/14/2003	
	First Named Inventor	James A. Rowe	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	3	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<div>Remarks</div> <div>Provisional Election</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Antonette M. Tease, P.L.L.C.		
Signature			
Printed name	Antonette M. Tease		
Date	06/29/2005	Reg. No.	53680

CERTIFICATE OF TRANSMISSION/MAILING		
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Typed or printed name	Donnetta Graham	Date 06/29/2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/620,164
Filing Date: 07/14/2003
Applicant: James A. Rowe
Title: Medical Tank Strap System
Examiner/GAU: A. Bunin/Unknown

PROVISIONAL ELECTION

The Honorable Commissioner for Patents
Washington, District of Columbia 20231

Dear Sir:

In response to a phone call from the examiner on June 14, 2005, in which he stated that the applicant would be required to elect either Group I (claims 1-7) or Group II (claims 8-21), the applicant provisionally elects, with traverse, Group I (claims 1-7) for further examination on the merits in the present application.

Applicant respectfully traverses the restriction requirement because the PTO has not carried forward its burden of proof to establish distinctness. In particular, MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area.

Accordingly, Applicant respectfully traverses the outstanding election requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the examiner.



Respectfully submitted,

Antoinette M. Tease
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Certificate of Mailing: I certify that on the date below this document and referenced attachments, if any, were deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: "Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450."

Donnetta Graham
June 29, 2005